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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,314	04/29/2005	Simon Richard Stebbing	121629-05042730	4747
20583	7590	01/31/2008		
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			EXAMINER D'ANIELLO, NICHOLAS P	
			ART UNIT 4111	PAPER NUMBER
			MAIL DATE 01/31/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/533,314	Applicant(s) STEBBING ET AL.	
	Examiner Nicholas P. D'Aniello	Art Unit 4111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>29 April 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 6, 8, 9 and 10 objected to because of the following informalities: These claims contain invalid units of measurement. Claim 6 refers to "ptm" and claim 10 uses "Jim" for units of volume average particle size. This is assumed to be soft-scanning text recognition error. For the purpose of examination these units are assumed to mean microns to be consistent with the specification and claims before they were amended. Similarly in claims 8 the units should be m^2/g and in claim 9 the units should be cm^3/g . Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Araya (International Publication No. WO 01/94512) in view of Klein et al. (US Patent No. 3,580,519) and Aldcroft et al. (International Publication No. WO 00/12669).

Araya teaches a zeolite detergent composition comprising an aluminosilicate and a salt identical to parts (a) and (b) of independent claim 1 (see page 1 line 33 - page 2 line 10, page 5 lines 7-27, and claim 1). The difference in the instant claim is part (c) requiring silica having a surface area greater than $500 \text{ m}^2/\text{g}$ and pore volume of less than $2.1 \text{ cm}^3/\text{g}$. However, it would have been obvious in the art to include particulate

silica in the composition of Araya et al. because Swift et al. teaches the use of silica to prevent the agglomeration (added as a flow aid) in the preparation of detergents (column 13, lines 28-33) but is silent regarding the silica's surface area and pore volume. However, it would have been obvious in the art to employ silica with a surface area greater than 500 m²/g and pore volume of less than 2.1 cm³/g in the modified composition of Araya et al. because Aldcroft et al. teaches a granular composition for incorporation in washing powder formulations which is amorphous silica that has a surface area of at least 550 m²/g and pore volume between 1 and 2.5 ml/g (cm³/g) which disintegrates when dissolved in water (see abstract and claim 1 of Aldcroft et al.).

In regard to claim 2, Araya teaches that sodium is a suitable ion for the first metal moiety, M (page 3, lines 6-16).

Regarding claim 3, Araya teaches that the aluminosilicate is a zeolite P, zeolite A or zeolite X (see claim 3 of Araya).

Re claim 4, Araya teaches that aluminum is a suitable ion for the second metal salt (page 3, lines 6-16).

Re claim 5, Araya teaches that 5 to 9 is the preferred pH for the aqueous composition (page 4, lines 10-14).

Re claim 6, Araya teaches that the average particle size of the zeolites is between 0.1 and 20 microns (page 3, lines 28-31).

Re claim 7, in Example 4 on page 13 Araya teaches a suitable composition for the slurry where 35% by weight is the zeolite (alumina silicate).

Re claim 8, Aldcroft et al. teaches that the surface area of the silica preferably has a surface area above 600 m²/g (page 3, lines 36-38).

Re claim 9, Aldcroft et al. teaches that the pore volume is as low as 1 ml/g (cm³/g) (abstract, page 3, lines 5-11).

Re claim 10, Swift et al. teaches adding silica with a particle size between 1 and 3 microns as a flow agent (column 13, lines 28-33).

Re claim 11, Swift et al. teaches adding about 0.1% to about 1.5% by weight silica as a flow agent (column 13, lines 28-33).

Re claim 12, in Example 4 on page 13 Araya teaches a suitable metal salt is aluminum sulphate.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas P. D'Aniello whose telephone number is (571)270-3635. The examiner can normally be reached on Monday through Thursday from 8am to 5pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Chuan Yao can be reached on (571) 272-1224. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NPD
1/25/2008

/Sam Chuan C. Yao/
Supervisory Patent Examiner, Art Unit 4111